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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Sandra S Hoppmann,
10 Plaintiff,

11 v.

12 Pampered Pets & Plants Incorporated, et al.,
13 Defendants.

No. CV-22-00427-PHX-DWL
ORDER

14 On February 14, 2024, the Court issued an order requiring Defendant Susan Hall,
15 who is proceeding *pro se*, to show cause why a default judgment as to liability should not
16 be entered against her as a result of her failure to attend a pre-trial hearing scheduled for
17 February 14, 2024, the purpose of which was to discuss a potential trial date and the
18 prospects of settlement. (Doc. 66.) Hall has now filed a response to the order to show
19 cause in which she provides an explanation for her failure to attend the hearing and
20 “propose[s] a less excessive sanction which would compensate [Plaintiff] for her expense
21 in attending the hearing on February 14, 2024”—namely, “the payment to [Plaintiff] in the
22 amount of \$86.98,” which consists of the typical \$40/day witness attendance fee in federal
23 court and reimbursement for Plaintiff’s mileage. (Doc. 68.)

24 The Court is satisfied with Hall’s explanation for missing the hearing, agrees with
25 Hall that a sanction of default judgment would be excessive and unwarranted under these
26 circumstances, and further agrees with Hall that the proposed alternative sanction of a
27 compensatory payment to Plaintiff is better calibrated to remedy the harm. However,
28 because it is not entirely clear that Hall’s mileage and mileage rate calculations are correct,

1 and because Hall's proposed sum does not factor in parking, the Court concludes that a
2 better figure is an even \$100.


3 Accordingly, **IT IS ORDERED** that:

4 1. The order to show cause (Doc. 66) is discharged.

5 2. The status conference is reset for March 6, 2024 at 10:00 AM in Courtroom
6 601 of the Sandra Day O'Connor United States Courthouse. As before, both sides must be
7 prepared to discuss how long they anticipate the trial will last and when they will be
8 prepared to go to trial. Additionally, both sides must be prepared to discuss whether they
9 are amenable to another referral to a magistrate judge for a settlement conference, which
10 the Court strongly recommends they consider.

11 3. Hall is ordered to pay \$100 to Plaintiff.

12 Dated this 23rd day of February, 2024.

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17 Dominic W. Lanza
18 United States District Judge
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